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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/167,539	10/07/1998	INH-SEOK SUH	06205.0027	1446

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EXAMINER

YE, LIN

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 05/21/2002

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/167,539

Applicant(s)

SUH, INH-SEOK

Examiner

Lin Ye

Art Unit

2612

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Objections

1. Claims 13-14 are objected to because of the following informalities: a third image storage should change to a second image storage corresponding to previous claims.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Sakaegi U.S. Patent 5,808,678.

Referring to claims 1,3, 5, 8 and 15, Sakegi reference discloses in Figures 1 and 2A-C, a digital still camera for controlling a focus position includes a display unit (19) for displaying

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an image corresponding to a subject and a mark (201) representing the focus position (See Col 4, lines 10-23); a first image storage unit (5) that stores image data corresponding to image (See Col 3, line 33); a switch unit (24) for moving mark on display unit (19) (See Col 3, lines 62-63); a focus control unit (7) for controlling to focus on a position of the subject corresponding to mark (202) (See Col. 6, lines 5-10).

Referring to claims 2 and 7, the display unit (19) comprises a display screen that shows image and mark (201) in Figure 2A-C. The switch unit (24) comprises a touch screen that is used for moving mark, positioned upon display screen (See Col. 7, lines 32-37).

Referring to claims 4, 11-12 and 16-19, the focus control unit (7) further calculates the focus position by processing image data corresponding to mark moved by switch unit in order to focus the position of subject and stores data to first image storage unit (5) corresponding to mark. The calculating step further includes generating an address of a memory storing image data corresponding to a coordinates or relocated focus position; reading image data stored in address and calculating the focus position by processing read image data (See Col. 5, lines 60-66 and Col 6, lines 11-20).

Referring to claim 6, the digital camera comprises a release switch (22) for beginning to taking a photograph (See Col. 3, line 60), and focus control unit stores the image data in first image storage unit (5) when the state of the release switch is at a first phase (See Col. 5, lines 46-55).

Referring to claims 9 and 13, the digital camera comprises a second image storage unit (9) for storing compressed data as shown in Figure 1 (See Col. 3, lines 36-38).

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Referring to claims 10 and 14, the focus control unit (7) compresses image data stored in first image storage unit (5) and restores compressed image data stored in second image storage unit (9) as shown in Figure 1.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - a. Hirasawa U.S 6,278,489 discloses an image pickup apparatus for capturing a video signal from a predetermined range in an image pickup screen and performing an AF operation based on the signal.
 - b. Muramoto U.S 6,124,890 discloses an automatic focus detecting device for obtaining focusing information on the basis of an image signal.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Lin Ye** whose telephone number is **(703) 305-3250**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R Garber can be reached on (703) 305-4929.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC. 20231


Or faxed to:

(703) 872-9314

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive,
Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is (703) 306-0377.


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Lin Ye
May 17, 2002